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ISSUANCES

of the

Meat and Poultry Inspection Program

NOVEMBER 1980



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UNITED STATES DEPARTMENT OF AGRICULTURE
Food Safety and Quality Service
Meat and Poultry Inspection Program
Washington, D.C. 20250



UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D.C. 20250

Meat and Poultry Inspection Manual

NOVEMBER 1980

CHANGE: 80-11

MAINTENANCE INSTRUCTIONS

Remove Page	Insert Page	Numbered
227 through 230	227 through 230a	80-11
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Pen and Ink Changes

1. Page 26lg, Section 22.51 (a)(3)(i), second paragraph, line 2, add the words "quality and yield" between the words "the" and "grade"; under (ii), line 4, add the words "Quality and yield" between the number "1" and the word "Grade"; and add the words "quality and yield" in the second paragraph, line 7, between the words "The" and "grade".
2. Page 26lw, Section 22.81 (a)(2), lines 3, 4, and 5 should be changed to read as follows: "description and labels should be submitted to contemplated Swedish importer."

22.6 NET WEIGHT

Products must be properly labeled as to net weight. If the inspector has reason to believe product is underweight, he should check net weights as per Subpart 18-K of the Manual. When short weight is found, do not allow product to be exported until it is correctly marked.

22.7 REIMBURSABLE SERVICES**(a) Overtime, Holiday**

Work performed during overtime or holiday hours shall be reported on MP Form 11 and will be billed to the plant.

(b) Voluntary Inspection and Certification Service

Any inspections, certifications, or statements, imposed by other countries in addition to MPI requirements (MP Form 412-3, MP Form 414-3, MP Form 506), are reimbursable and will be made only at plant's or exporter's request. Applicant will be billed for all inspection time used to develop facts and supervise product (see Parts 350 and 362 of Meat and Poultry Inspection Regulations; Certification Service for inedible animal byproducts administered by VS).

REQUIREMENTS
FOR
IMPORTING COUNTRIES

Subpart 22-B

(Regs: M-322; P-Subpart M)

All products for export shall meet the importing country's requirements. Exporters are responsible for determining that they comply with these requirements and providing the necessary documents.

22.17 ADDITIONAL REQUIREMENTS**(a) No Estrogens Used**

Since estrogens have been excluded from use in chickens and turkeys, inspectors are authorized to include the wording "No Estrogens Used" on export certificates unless there is specific reason for its omission. Exception. This certification is not authorized for poultry product prepared from roasting chickens and capons.

(b) Unscalded Stomachs

France, Japan, Korea (South), Mexico, Peru and Taiwan will accept unscalded (undenuded) beef stomachs for edible use. Such stomachs shall come from U.S. inspected and passed carcasses and be properly washed and handled as regularly prepared tripe, except for scalding.

Only acceptable clean stomachs from official plants can be certified for export. Shipping containers shall be prominently marked "Unscalded Beef Stomachs For Export to (Name of Country) Only."

*

IMPORTING COUNTRIES

Following are countries importing meat and/or poultry products from the United States, and their requirements.

22.18 AFRICA (REPUBLIC OF SOUTH)**Meat Products**

Animal Casings. Exporter must obtain a permit from the Department of Agricultural Technical Services of the Republic of South Africa. The reverse side of the veterinary health certificate will be completed by an authorized MPI veterinarian. The animal disease status in the United States is such that certification may be routinely carried out.

22.19 ALGERIA**Meat Products**

For products or casings, issue MP Form 412-11.

22.20 ARGENTINA

- * Export certificates shall be visaed
- * by Argentine Consulate nearest to the
- * plant.
- * (a) Meat Products
- * Issue MP Form 412-3.
- * (b) Poultry Products
- * Poultry must originate from plants
- * approved by Argentine inspection officials.
- * The following information must be
- * stated in Spanish on MP Form 506:
- * Official establishment number (Numero
- * oficial del establecimiento); name and
- * address of plant (denominacion y
- * domicilia del establecimiento); prod-
- * uct of USA (Producto de los Estados
- * Unidos de America);
- * I certify that the poultry and poultry
- * products specified above came from
- * birds that were officially given an
- * ante-mortem and post-mortem inspection
- * and passed in accordance with appli-
- * cable laws and regulations of the
- * United States Department of Agricul-
- * ture and are wholesome and fit for
- * human consumption (Certifico que la
- * volateria y los productos de volateria
- * especificados supra provinieron de
- * aves que fueron sometidas oficialmente
- * a una inspeccion antemortem y post-
- * mortem y aprobadas de conformidad con
- * las leyes y reglamentos aplicable del
- * Departamento de Agricultura de los
- * Estados Unidos, siendo sanos y aptos
- * para el consumo humano);
- * By order of the Secretary of Agricul-
- * ture (Por resolucion del Secretario de
- * Agricultura); and date (Fecha).
- * The Spanish statements are to be typed
- * in the "remarks" block of MP Form 506.
- * If more space is needed, use the
- * reverse side.

22.21 AUSTRALIA

(a) Meat Products

(1) Fresh, frozen. Fresh or frozen meat and meat products are not eligible for export.

(2) Cooked, canned. Cooked meats and cooked meat products in hermetically sealed cans may be exported. An

authorized MPI veterinarian shall certify that (1) products are from animals slaughtered for human food in official U.S. establishments or approved foreign plants, (2) such animals received ante- and post-mortem veterinary inspection at time of slaughter and were free from contagious and infectious disease, and (3) products were not exposed to infection before export.

For canned product, manufacturer shall also declare that during processing all can content was heated to not less than 100° C. (212° F.). Temperature and time of process shall be endorsed by an MPI veterinarian with a certificate stating that he is familiar with product process and he does not have reason to doubt manufacturer's declaration.

(3) Casings. Issue MP Form 415-5. Casings must be the product of and totally prepared in U.S.

(4) Inedible. Cattle hides are not permitted entry from countries with foot-and-mouth disease. They must be accompanied by a certificate from an MPI veterinarian stating that hides are from cattle slaughtered for human food.

(b) Poultry Products

(1) Canned. Only canned poultry products are eligible for export to Australia. Besides MP Form 506, a certification shall be made by manufacturer and inspector (jointly) on firm's letterhead. Such certification shall consist of:

a. A declaration by the manufacturer stating that all can content was heated to not less than 100° C. during processing. Temperature and time used shall be stated.

b. A certification by the inspector that he is familiar with product process, and does not have reason to doubt manufacturer's declaration. Inspector's part of the certificate shall read:

"I certify that I am familiar with product process (insert name of product) and I have no reason to doubt manufacturer's declaration."

John Doe

USDA Inspector

(2) **Labels.** Trade description shall be in the form of a principal label or brand, prominently and, as practicable as possible, permanently affixed to product. It shall contain the following prominent and legible wording:

a. Name of country where products are made or produced (Product of USA).

b. True description of product. Where any weight or quantity is declared, it shall specify whether gross or net. Any matter included on the label or brand, additional to that specified in the regulations, shall not contradict or obscure specified particulars by illustration, wording, or size of lettering.

22.22 AUSTRIA

* The export certificates and any
* additional statements must be typed
* with the same typewriter and signed by
* the same MPI veterinarian.

* (a) Meat Products

* (1) Beef. Issue regular export
* certificate.

* (2) Pork. The following statement
* must be typed on the export certifi-
* cate for fresh/frozen pork and
* tongues:

* "The whole consignment has been stored
* in the country of origin continuous
* for at least 30 days at a temperature
* not above minus 18 degrees (18 degrees
* Centigrade below zero) under the con-
* trol of an official veterinarian, as a
* consequence of which the product is
* free from trichinae." Minus 18
* degrees Centigrade is the same as
* -0.4° F. Each pork liver must be
* branded with the official inspection
* legend.

* (3) Salmonellae testing. Frozen
* meat shipped in cuts smaller than
* halves for hogs, sheep and goats and

smaller than quarters for cattle and
horses must be tested for Salmonellae.
If the Salmonellae test is not made in
the country of origin, it must be
carried out in Austria or in a transit
country.

Five samples from 5 different pieces
of meat shall be taken for Salmonellae
testing from each metric ton of ready-
for-shipment meat under the supervi-
sion of an official veterinarian.
With the exception of the number of
samples specified above, follow the
instructions specified in Section
22.29(b)(3) for submitting samples
of meat for Salmonellae testing by a
government approved laboratory.

If the Salmonellae testing has been
carried out, the following statement
must be typed on the export certifi-
cate: "The test for Salmonellae
yielded negative results and has been
conducted in conformity with Austrian
requirements by the official labora-
tory in (City), whose Laboratory
Code Number is on (Date).

(4) Casings. Issue MP Form 415-5.

(b) Poultry Products

Issue MP Form 506. The following
statement shall be typed in the
"remarks" section:

"The undersigned certifies that the
above designated product came from
poultry originating in flocks in the
United States which were not quaran-
tined because of outbreaks of diseases
communicable to poultry within 40 days
of slaughter."

Plant management is required to
identify flocks and their origin to
the veterinary inspector in charge
sufficiently in advance of slaughter
to enable him to execute the export
certificate.

22.23 BELGIUM

(a) Meat Products

Issue MP Form 7, Certificate of
Wholesomeness, for exports of fresh
meat and meat byproducts.

Issue MP Form 95 for processed meat food products.

These certificates require that ante-mortem inspection be conducted by a veterinarian. The alternative procedure in section 9.6 meets this requirement, provided a veterinarian does ante-mortem inspection of the animals whose meat, product, or by-product is to be exported to Belgium. Exporters must establish product identity and satisfy certifying official that product meets this requirement.

Belgium import regulations apply to all meat, including horsemeat, and all processed and canned products with more than 5 percent meat by weight.

(1) Fresh, frozen. The following fresh or frozen products are eligible for entry:

a. Beef, veal, horsemeat--bone-in or boneless pieces weighing at least 3 kilos (6.6 pounds).

b. Beef or horsemeat tenderloins of any weight.

c. Pork--bone-in hams, loins, and bacon from back and breast.

d. Mutton, lamb, and goat meat--bone-in legs, shoulders, and loins.

e. Unboned heads of all species.

f. Byproduct (edible)--hearts, kidneys, livers, tongues, brains, intestines, stomachs, pancreas, and thymus. Large intestines and stomachs must be scraped and scalded.

Wrapper or container labels of by-product, including livers, must show inspection legend.

(2) Brands. Each piece or cut of fresh meat, chilled or frozen, shall be marked with legible brands. Carcasses less than 132 pounds shall have four brands on shoulders and external surfaces of hind legs; those over 132 pounds at least four brands on each side, placed on thigh, loin, back, and shoulder. Pork carcasses shall also be branded on ribs.

(3) Labels. Labels must be approved by MPSLD. One label shall be affixed outside container and one shall be placed inside. A label need not be on the container if all cans or packages therein bear identical labels.

The label shall show kind of meat, official number of processing or producing plant, and country of origin.

(4) Casings. Identify containers with inspection mark shown in the regulations (312.8). Accompany each shipment with MP Form 412-8; the words "animal casing" are substituted for "products." Nodular casings shall be described on the certificate as "Nodular (not clear)."

(b) Poultry Products

Issue MP Form 506 and MP Form 47. To comply with item (e) of MP Form 47, the owner or producer of poultry to be exported must sign a certificate stating all requirements in such item. The certificate must be given to the MPI officer signing the form. Product with bastings or tenderizers is not permitted.

22.24 CANADA

Certificate and Stamp

All certificates accompanying product for export to Canada must be signed by MPI veterinarians. On such certificates, veterinarians should indicate "D.V.M." (or equivalent degree) after their signature.

Export stamp showing certificate number must be applied to main panel of each carton.

(a) Labeling

(1) Approval. Before shipping, exporters shall obtain Canadian and USDA approval of all product labels (edible and inedible) for immediate and shipping containers by sending proof of proposed labels to:

*
*
*
*
*
*

* Chief, Standards & Labels
 * Meat Hygiene Division
 * Sir William Logan Building
 * Agriculture Canada
 * 580 Booth Street
 * Ottawa, Ontario K1A 0Y9
 * (Tel. No.: (613) 995-5433)

* For U.S. approval, labels shall be
 * sent to MPSLD.

* Shipping containers of imported
 * prepackaged products that have their
 * inner markings approved by the
 * Canadian Label Unit will not have to
 * be submitted to that office for
 * approval. It will be the packer's
 * responsibility to ensure that such
 * cartons bear all mandatory informa-
 * tion, i.e.:

- * a. Product description which should
- * be identical to the inner marking;
- * b. Country of origin to appear
- * immediately below product description
- * should be at least half the height of
- * the largest letter on main panel;
- * c. Net quantity of the meat
- * product;
- * d. Packer's name and address;
- * e. Inspection stamp or statement;
- * and
- * f. Storage instructions (Keep
- * Refrigerated or Keep Frozen).

* Shipping cartons for bulk packed
 * products such as boneless beef must be
 * submitted to the above address for
 * approval in the usual manner.

* (2) Prepackaged product. All
 * consumer-size packages of meat and
 * poultry products must comply with the
 * following:

- * a. The product name, ingredients
- * statement and net weight must be shown
- * in both English and French.
- * b. Net weight must be declared in
- * metric units. Canada will continue to
- * approve labels with net weights in
- * both metric and avoirdupois units.
- * c. The name and address of the
- * manufacturer or first dealer ending
- * with U.S.A. must be shown on the main
- * panel with all mandatory requirements.
- * The first dealer must either be a
- * registered tenant of a USDA inspected
- * plant or a Canadian distributor.

(3) Quebec requirement. A Quebec
 provincial "Order-in-Council" (4-15-67)
 requires "French" on labels of prod-
 ucts marketed in the Province.
 Inscriptions in another language must
 not precede those in French. The
 Order requires that food labels show:

- a. Product nature, composition,
- use, exact quantity, origin, etc.
- b. Identity of manufacturer,
- preparer, conditioner, or processor.
- c. Place of manufacture, prepara-
- tion, conditioning, or processing of
- product. Imported product must be
- marked with the country of origin
- name.

(b) Meat Products

(1) MP Form 412-3. It must show
 consignor's name and address and
 establishment no.(s) of plant(s) from
 which shipment was made. If product
 was prepared in a plant other than the
 exporting plant, statement on certifi-
 cate should say, "products prepared at
 est. no. _____." Give producing
 plant's est. no. Exporting plants
 will not be permitted to change labels
 or carton lids to show their own
 establishment name and number.

Since the addition of chlorine to

(6) Prohibited importation. The following importations are prohibited.

- a. Meat from boars.
- b. Meat trimmings too small to permit adequate inspection. Individual pieces must not be less than the size of a 2" cube or equivalent.
- c. Pork skins (attached and detached) with black hair roots.
- d. Product with freezer burns or areas of dehydration.
- e. Artificially colored product.
- f. Meat inspected or identified under Part 350 of the regulations.
- g. Beef and meat food products containing beef from dairy cattle originating in the State of Michigan (PBB).
- h. Meat and poultry products other than lard and tallow which have been subjected to hyperchlorinated water.

(7) Container and markings. Bulk product - primal cuts such as pork hams, skinless pork bellies, etc., must be individually stamped with the USDA inspection legend.

The use of combo bins for export of frozen meat cuts is not permitted. Combo bins with fresh meat cuts must be consigned directly to Federal registered establishments and not to storages. Combo bins or cartons must have the mandatory information printed on one main panel except the product name can be either printed, rubber stamped, stencilled, or applied by means of a pressure-sensitive sticker.

Frozen cuts will be permitted entry only in properly packaged shipping cartons. Truckload or carload lots of dressed hogs may be identified by means of a placard marking. Each hog carcass side must bear three inspection legend brands. Beef quarters must bear at least an inspection legend and a shipping tag. Both skin-on and skinned calf carcasses must also bear a shipping tag. Such tags must bear mandatory information on one side and be stamped with the export stamp on the other side.

Carload lots of shortening, lard, or tallow must be identified by a placard and be consigned directly to a registered plant in Canada operating under the Canada Meat Inspection Act and Regulations.

(8) Placard. Mandatory information for loose or bulk meat must appear on a placard 12" x 12" on doors of railroad cars, trucks, or trailers, and must show:

- a. The name and mailing address of the manufacturer or first dealer ending with "USA" to be shown on the main panel with all mandatory requirements. The first dealer must either be a registered tenant of a USDA inspected plant or a Canadian distributor. In case of first dealer or distributor, the name shall be preceded by the words "Packed For."

- b. True and correct description of contents. Animal species must be shown with cut or portion name.

- c. "Product of USA" immediately below product description. Usually, this requires letters at least half the size of those used in product name, and must be legible.

- d. Net weight. The word "weight" is to be spelled out in full, if used. The word "net" alone is acceptable for both English and French. Associated symbols (lb, oz, g, kg) are to be used together with the words "net weight" or "weight."

(c) Poultry Products

(1) Certification. Issue MP Form 506.

(i) Export stamps. In "Other box Markings" block on MP Form 506, type statement, "Each container stamped with USDA certificate number."

(ii) Chlorinated water. Since the addition of chlorine to water for reasons other than potability is prohibited by Canadian regulations, the following statement must be typed

under "Remarks" on MP Form 506: "The poultry contained in this shipment has not been subjected to chlorine disinfection as permitted by U.S. regulations (381.91(b)(1)), nor has it been chilled in hyperchlorinated water.

(2) **Kidney removal.** Kidneys must be removed during evisceration from all poultry to be exported to Canada as carcasses, portions, or processed product. The statement on MP Form 506 covering poultry carcasses, poultry portions or processed poultry product must read "Kidneys have been completely removed, at the time of evisceration, from poultry and poultry products covered by this certificate."

(3) **Containers.** When poultry is processed with kidneys removed, containers should be clearly marked by lot number, or by other acceptable means to be readily identifiable when shipped. Record all marks (or lot numbers) placed on containers. Also record where and when poultry was stored, and name of inspector present during the procedure.

Firms processing poultry with kidneys removed should be encouraged to include the words "kidneys removed" on printed labels. When packages are not so labeled, the inspector shall examine the product to assure that kidneys were removed even when representative sample defrosting is not required.

(4) Labeling.

* (i) **Approval.** See 22.24(a)(1).

(ii) **Shipping container.** Poultry products packed in cartons with ventilation or hand holes are not acceptable. Information on main panel of shipping container must include:

1. Complete name and address of manufacturer or first dealer, followed by "U.S.A." The first dealer may be a registered tenant of a USDA inspected plant or a Canadian distributor.

2. Inspection legend showing establishment number.

3. Name of product and number of birds in the shipping container.

4. Grade mark of country of origin.

5. The words "Product of USA" under common name of product.

6. The words "Net Weight," followed by "lb" (not lbs.), "oz," "kg," or "g." Weight symbols not to be followed by a comma or period.

7. The USDA inspected for wholesomeness official inspection mark.

8. A statement indicating "for further processing," if applicable.

9. "Keep refrigerated," or "Keep frozen," whichever is applicable.

(iii) **U.S. trade requirement.** Boxes printed for U.S. trade requirements are satisfactory, provided printing size is in reasonable relation to box size. Requirements in Canadian poultry regulations are recommended as a guide. Mandatory requirements must be printed on the box.

Main panel--items to be printed:

1. Name and address of plant.

2. "Net Weight."

3. "Product of USA."

4. "USDA inspected for wholesomeness official inspection mark."

The following items may be stencilled or stamped on main panel of shipping container:

1. Name of product and number of birds in the box.

2. Grade mark.

3. Plant number. If plant number included in the "USDA inspected for wholesomeness official inspection mark," is of sufficient size to be easily read, it will suffice; otherwise, it may be stenciled or stamped near the official inspection mark elsewhere on the panel.

4. When product is for further processing, it shall be indicated on the box panel. Poultry product for further processing may be exported only to a registered establishment in Canada, not to storage nor to a retail outlet. Individual cartons of such product intended for further processing are to be sealed by tape or

straps, or the truck must be sealed with an official USDA seal. Seals may be broken only by a health of animals inspector or by a person authorized by him at the final destination (registered establishment).

(iv) Utility grade poultry. When grading and labeling "utility" grade poultry for export to Canada, grade will be shown as "grade utility" in letters at least 1/2 inch, with the phrase "for further processing" shown directly below the grade.

Shipping container. Shipping container will be stamped with export stamp and USDA grade utility stamp. These stamp impressions shall be on left side or lower part of label.

Ready-to-cook. Grade utility specifications for ready-to-cook stewing hens (not fowl), chickens, and turkeys will be used only when grading ready-to-cook poultry for export to Canada.

(v) Box-packed poultry. Figure 22.1 shows a sample of shipping container markings for box-packed poultry and poultry products to Canada.

Size of letters in kind name "for further processing (when required)" and grade letter--at least 1/2 inch.

Size of letters in net weight--at least 1/4 inch.

Size of letters in "Product of USA"--not less than 1/2 the size of letters in kind name.

Kind Name:

chickens	young ducks
chicken capons	mature ducks
stewing hens	young geese
young turkeys	mature geese
mature turkeys	

NOTE: "Chicken capons" may be used to describe only carcass of male chickens desexed by mechanical removal of testicles.

(vi) Pliofilm bags. They must be clear (semiopaque bags are not acceptable) and show:

1. Name and address of the manufacturer or first dealer, followed by "U.S.A." The first dealer may be either a registered tenant of an official establishment or a Canadian distributor. If first dealer, the words "prepared for" must be used. Address may be the local or head office followed by "U.S.A." If head office, it must be so stated.

2. Name of product.

3. Official U.S. Grade Mark.

4. "Product of U.S.A." shown clear-

<p>USDA Insp. for Wholesomeness Mark with Plant Number</p>	<p>Name & Address of Firm, Including Country of Origin, e.g., "U.S.A."</p>
<p>Figure showing number of birds _____</p>	<p>(Kind Name) PRODUCT OF U.S.A. USDA Grade Shield</p>
<p>FOR FURTHER PROCESSING (when required)</p>	
<p>NET WEIGHT - LBS</p>	

Figure 22.1 - Shipping container

ly and boldly with letters at least 1/2 the height of the tallest letter in the product name.

5. Official inspection mark.

6. Net weight.

7. Plant number as part of the inspection legend is acceptable.

Exporters must submit bags to Canadian authorities for label approval.

(4) **Processed product; phosphates.** Canadian regulations have no provisions for addition of phosphates to manufactured poultry products. Thus, products with phosphates shall not be certified and exported to Canada.

(5) **Backs, necks for animal food.** Backs and/or necks may be exported to Canada for animal food purposes under the following conditions:

a. If parts are wholesome and move as inspected product, kidneys must be removed.

b. If parts have kidneys, they must move as inedible product and must be decharacterized with finely powdered charcoal or Birkoline B. Any other method requires prior approval by the Canada Meat Inspection Division. Decharacterization need not be excessive to spoil the product for its intended purpose.

(i) **Labeling.** When backs and/or necks are shipped as inedible, they must be labeled as follows:

Decharacterized chicken backs and necks.

Inedible, unfit for food.

Product of USA.

Name and address of packer.

Plant No. _____.

(It shall not bear the official inspection legend).

Net weight.

Submit labels to Canadian officials for approval.

(ii) **Certification.** When above conditions are met, the inspector can

issue an inedible certificate (Chart 22.3) in quadruplicate. Two copies are given to the packer, one copy is sent to the regional office, and one is filed in the inspector's office.

(6) **Feathermeal.** When feathermeal produced in an official plant is offered for export, the exporter shall apply to VS for inspection under Certification Service for inedible animal byproducts. At VS request, MPI will do such inspection on reimbursable basis.

The following certification is required:

(i) **Exporter.** He shall certify that (1) product was subjected to a combined heat treatment of not less than 210° F. for at least 3 hours, and 230° F. for 30 minutes; (2) the shipment originates in and is shipped directly from USA; and (3) product is in new bags (for shipments other than bulk).

(ii) **Inspector.** He shall make the following statement on a letterhead type certificate:

"This product is from a federally inspected plant with facilities to process product as described in the shipper's declaration."

Charges for service should be billed to VS.

Chart 22.3 - Certificate for inedible product

UNITED STATES DEPARTMENT OF AGRICULTURE Food Safety and Quality Service MEAT AND POULTRY INSPECTION PROGRAM WASHINGTON, D. C. 20250	
Date _____	
Plant No. _____	Place _____ Date _____
Name and Address of Consignor _____	
Name and Address of Consignee _____	
I.....hereby certify that the following described shipment consists of products which were obtained from poultry carcasses that received ante-mortem and post-mortem veterinary examination and were found to be free of diseases and/or conditions which would render the product unfit and that they have been handled and prepared in a clean and sanitary manner under the Poultry Products Inspection Act and regulations of the United States.	
Kind of Product and Denaturant	Amount and Weight
Shipping Marks _____	
Inspector's Signature _____	

22.25 CHILE

Poultry Products

Issue MP Form 506. The following statement shall be placed on departmental letterhead and attached to the export certificate:

"This will certify that a lot of approximately _____ (pounds) of _____ (kind of poultry) covered by U.S. certificate number _____ has been processed under strict sanitary conditions and was inspected for wholesomeness by the United States Department of Agriculture at time of slaughter. This inspection was car-

ried out under the supervision of Federal veterinarians and each carcass, including its organs, was passed and certified as being free from evidence of communicable disease and is otherwise wholesome, sound, healthful, clean, and fit for human food."

Official Veterinarian

22.26 CHINA, REPUBLIC OF (TAIWAN)

Importers in Taiwan are issued licenses for each type of product they

wish to import. Certain products are subject to embargoes from time to time. U.S. exporters are advised to obtain detailed information from their buyers before making shipments.

(a) Meat Products

Eligible for entry are fresh (chilled or frozen) beef, pork, lamb, goat meat, equine meat, and certain prepared products, scalded and unscalded * beef or lamb tripe (see Section 22.17 * (b)). Items subject to a temporary embargo include beef and swine offals, heads, tongues and tails and feet of all species, certain smoked, dried or salted offals and bone-in meats.

(b) Poultry Products

Certain prepared poultry products are eligible for entry. Ineligible poultry products include poultry livers, heads, and feet.

* (c) Casings

* Certain export certificates, i.e., * MP Form 415-5, do not have an official * seal. When such certificates are * used, the inspector shall stamp them * with the official export inspection * stamp as shown in Section 312.8 of * the Regulations. Since these certifi- * cates do not have serial numbers, that * space on the stamp shall be left * blank.

22.27 COLOMBIA

Meat Products

Lard. Issue MP Form 412-7 in five copies. Fifth copy is for inspector's file.

Certificate should be visaed by consul of that country.

22.28 CZECHOSLOVAKIA

Meat Products

Lard. The following certification, on reverse of regular export certificate or on departmental letterhead stationery, may accompany lard:

1. Originates from hogs found to

be healthy before, during, and after slaughter, and that the meat, including fat, is suitable for human consumption without restriction.

2. Antioxidants were not used in producing lard.

22.29 DENMARK

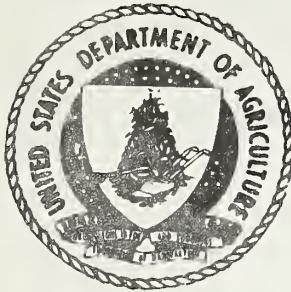
(a) Plant Approval

Only meat plants approved for export to the United Kingdom and/or to West Germany are eligible for exporting meat and meat products to Denmark.

Fresh poultry is not eligible for export to Denmark. All poultry (i.e., cooked, etc.) exported to Denmark must originate only from plants certified as meeting European Economic Community (EEC) requirements. In certifying such plants, RD will apply the same criteria used in certifying poultry plants to export to West Germany. (Those establishments which export poultry to West Germany are certified as meeting EEC requirements.)

(b) Meat Products

(1) Fresh. Pork is not eligible for export to Denmark. Meat of ruminants (cattle, sheep, and goats) may be exported if accompanied by the following certification: 1. Type the following statement on the reverse of MP Form 412-3: "This is to certify



UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D.C. 20250

MEAT AND POULTRY INSPECTION REGULATIONS

NOVEMBER 1980

CHANGE: 80-11

Includes changes for
September, October, and

MAINTENANCE INSTRUCTIONS November

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(§ 307.4(d)(3) continued)

such a request will result in overtime service at the start of the following day: Provided, That an inspector may be recalled to his assignment after completion of his daily tour of duty under the provisions of § 307.6(b).

§ 307.5 Overtime and holiday inspection service.

* (a) The management of an official establishment, an importer, or an exporter shall pay the Food Safety and Quality Service \$16.76 per hour per Program employee to reimburse the Program for the cost of the inspection service furnished on any holiday as specified in paragraph (b) of this section; or for more than 8 hours on any day, or more than 40 hours in any administrative workweek Sunday through Saturday. *

(b) Holidays for Federal employees shall be New Year's Day, January 1; Washington's Birthday, the third Monday in February; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans' Day, November 11; Thanksgiving Day, the fourth Thursday in November; Christmas Day, December 25. When any of the above-listed holidays falls outside the basic workweek, the nearest workday within that week shall become a holiday.

§ 307.6 Basis of billing for overtime and holiday services.

(a) Each recipient of overtime or holiday inspection service, or both, shall be billed, at the rate established in § 307.5(a), in increments of full quarter hours. For billing purposes, 8 or more minutes shall be considered a full quarter hour. Billing will be for each quarter hour service rendered by each Program employee.

(b) Official establishments, importers, or exporters requesting and receiving the services of a Program employee after he has completed his day's assignment and left the premises, or called back to duty during any overtime or holiday period, shall be billed for a minimum of 2 hours overtime or holiday inspection service at the established rate.

(c) Bills are payable upon receipt and become delinquent 30 days from the date of the bill. Overtime or holiday inspection will not be performed for anyone having a delinquent account.

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(§ 317.8(b)(24) continued)

(iv) Wrapped quarter pound sticks or similar units of such oleomargarine or margarine packaged together in a container may constitute units for retail sale and they shall be individually wrapped and labeled in accordance with subdivisions (i), (ii), and (iii) of this subparagraph.

(25) When approved proteolytic enzymes as permitted in Part 318 of this subchapter are used on steaks or other raw meat cuts there shall appear on the label in a prominent manner, contiguous to the product name, the statement, "Tenderized with [approved enzyme]," to indicate the use of such enzymes. Any other approved substance which may be used in the solution shall also be included in the statement.

(26) When dimethylpolysiloxane is added as an antifoaming agent to rendered fats, its presence shall be declared on the label contiguous to the name of the product. Such declaration shall read "Dimethylpolysiloxane Added."

(27) When pizzas are formulated with crust containing calcium propionate or sodium propionate, there shall appear on the label contiguous to the name of the product the statement "-----added to retard spoilage of crust" preceded by the name of the preservative.

(28) Sausage of the dry varieties treated with potassium sorbate or propylparaben (propyl p-hydroxybenzoate) as permitted by Part 318 of this subchapter, shall be marked or labeled with a statement disclosing such treatment and the purpose thereof, such as "dipped in a potassium sorbate solution to retard mold growth."

(29) Meat of goats shall be identified as goat meat or chevon.

(30) The term "Chitterlings" shall apply to the large intestines of swine, or young bovine animals when preceded with the word "Calf" or "Veal." Meat food products that contain chitterlings or calf or veal chitterlings, in accordance with § 318.6(b)(8) of this subchapter shall be identified with product names that refer to such ingredients, as for instance, "Chitterling Loaf," "Chitterling Pie," or "Calf Chitterlings and Gravy," and shall be packed in containers having a capacity of 3 pounds or less and of a kind usually sold at retail intact and bearing such other information as is required by this part.

(31) Products that contain blood from livestock as permitted by Part 318 of this subchapter shall be labeled with a name that includes the term "blood," and the specific kind of blood shall be declared in the ingredient statement, e.g., "Swine blood," in the manner required by this part.

(32) A calendar date may be shown on labeling when declared in accordance with the provisions of this subparagraph:

(i) The calendar date shall express the month of the year and the day of the month for all products and also the year in the case of products hermetically sealed in metal or glass containers, dried or frozen products, or any other products that the Administrator finds should be labeled with the year because the distribution and marketing practices with respect to such products may cause a label without a year identification to be misleading.

(ii) Immediately adjacent to the calendar date shall be a phrase explaining the meaning of such date, in terms of "packing" date, "sell by" date, or "use before" date, with or without a further qualifying phrase, e.g., "For Maximum Freshness" or "For Best Quality", and such phrases shall be approved by the Administrator as prescribed in § 317.4.

(33) When bread, cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, or isolated soy protein is added in bockwurst as permitted in § 319.281 of this subchapter, there shall appear on the label in a prominent manner and contiguous to the product name, the name of such

(§ 317.8(b)(33) continued)

added ingredient, e.g., "Bread Added," "Cereal Added," or "Soy Protein Concentrate Added," as the case may be.

(34) The terms "All," "Pure," "100%," and terms of similar connotation shall not be used on labels for products to identify ingredient content, unless the product is prepared solely from a single ingredient.

(§ 318.2(d) continued)

use the labeling or container of the product, or the institution of a judicial seizure action under section 403 of Act or other appropriate action. The inspector shall make a complete record of each transaction under this paragraph and shall report his action to the area supervisor.

§ 318.3 Designation of places of receipt of products and other articles for reinspection

Every official establishment shall designate, with the approval of the circuit supervisor, a dock or place at which products and other articles subject to reinspection under § 318.2 shall be received, and such products and articles shall be received only at such dock or place.

§ 318.4 Preparation of products to be officially supervised; responsibilities of official establishments; plant operated quality control.

(a) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by Program employees unless such preparation is conducted as a custom operations exempted from inspection under § 303.1(a)(2) of this subchapter in any official establishment or consists of operations that are exempted from inspection under § 303.1(d) of this subchapter and are conducted in a retail store in an establishment subject to inspection only because the State or Territory in which the establishment is located is designated under paragraph 301(c) of the Act. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary. All steps in the preparation of edible products shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

(b) It shall be the responsibility of the operator of every official establishment to comply with the Act and the regulations in this subchapter. In order to carry out this responsibility effectively, the operator of the establishment shall institute appropriate measures to assure the maintenance of the establishment and the preparation, marking, labeling, packaging and other handling of its products strictly in accordance with the sanitary and other requirements of this subchapter. The effectiveness of such measures will be subject to review by the Department.

(c) Applying for Total Plant Quality Control. Any owner or operator of an official establishment preparing meat food product who has a total plant quality control system or plan for controlling such product, after ante-mortem and post-mortem inspection, through all stages of preparation, may request the Administrator to evaluate it to determine whether or not that system is adequate to result in product being in compliance with the requirements of the Act and therefore qualify as a U.S. Department of Agriculture (USDA) Total Plant Quality Control Establishment. Such a request shall, as a minimum, include:

(1) A letter to the Administrator from the establishment owner or operator stating the company's basis and purpose for seeking an approved quality control system and willingness to adhere to the requirements of the

(§ 318.4(c)(1) continued)

system as approved by the Department; that all the establishment's data, analyses, and information generated by its quality control system will be maintained to enable the Department to monitor compliance and available to Department personnel; that plant quality control personnel will have authority to halt production or shipping of product in cases where the submitted quality control systems require it; and that the owner or operator (or his/her designee) will be available for consultation at any time Department personnel consider it necessary.

(2) In the case of an establishment having one or more full-time persons whose primary duties are related to the quality control system, an organizational chart showing that such people ultimately report to an establishment official whose quality control responsibilities are independent of or not predominantly production responsibilities. In the case of an establishment which does not have full-time quality control personnel, information indicating the nature of the duties and responsibilities of the person who will be responsible for the quality control system.

(3) A list identifying those Parts and sections of the Federal meat inspection regulations which are applicable to the operations of the establishment applying for approval of a quality control system. This list shall also identify which part of the quality control system will serve to maintain compliance with the applicable regulations.

(4) Detailed information concerning the manner in which the system will function. Such information should include, but not necessarily be limited to, questions of raw material control, the critical check or control points, the nature and frequency of tests to be made, the nature of charts and other records that will be used, the length of time such charts and records will be maintained in the custody of the official establishment, the nature of deficiencies the quality control system is designed to identify and control, the parameters or limits which will be used, and the points at which corrective action will occur and the nature of such corrective action--ranging from the least to most severe: Provided, That subsequent to approval of the total plant quality control system by the Administrator, the official establishment may produce a new product for test marketing provided labeling for the product has been approved by the Administrator, the inspector in charge has determined that the procedures for preparing the product will assure that all Federal requirements are met, and the production for test marketing does not exceed 6 months. Such new product shall not be produced at that establishment after the 6-month period unless approval of the quality control system for that product has been received from the Administrator.

(d) Applying for Partial Quality Control. Any owner or operator of an official establishment preparing meat food products who has a quality control program for a product, operation, or a part of an operation, may submit it to the Administrator and request a determination as to whether or not that program is adequate to result in product being in compliance with the requirements of the Act. Such a request shall, as a minimum, include:

(1) A letter from the establishment official responsible for quality control stating the objective of the program, and that all data and information generated by the program will be maintained to enable the Department to monitor compliance and available to Department personnel.

(2) Detailed information concerning raw material control, the critical check or control points, the nature and frequency of tests to be made, the charts and records that will be used, the length of time such charts and records will be maintained in the custody of the official establishment, the

(§ 318.4(e)(1) continued)

limits which will be used and the points at which corrective action will occur, and the nature of the corrective action--ranging from the least to the most severe.

(e) Evaluation and Approval of Total Plant Quality Control or Partial Quality Control.

(1) The Administrator shall evaluate the material presented in accordance with the provisions of paragraph (c) or (d) of this section. If it is determined by the Administrator on the basis of the evaluation, that the total quality control system or partial quality control program will result in finished products controlled in this manner being in full compliance with the requirements of the Act and regulations thereunder, the total quality control system or partial quality control program will be approved and plans will be made for implementation under departmental supervision.

(2) In any situation where the system or program is found by the Administrator to be unacceptable, formal notification shall be given to the applicant of the basis for the denial. The applicant will be afforded an opportunity to modify the system or program in accordance with the notification. The applicant shall also be afforded an opportunity to submit a written statement in response to this notification of denial and a right to request a hearing with respect to the merits or validity of the denial. If the applicant requests a hearing and the Administrator, after review of the answer, determines the initial determination to be correct, he shall file with the Hearing Clerk of the Department the notification, answer and the request for hearing, which shall constitute the complaint and answer in the proceeding, which shall thereafter be conducted in accordance with Rules of Practice which shall be adopted for this proceeding.

(3) The establishment owner or operator shall be responsible for the effective operation of the approved total plant quality control system or partial quality control program to assure compliance with the requirements of the Act and regulations thereunder. The Secretary shall continue to provide the Federal inspection necessary to carry out his responsibilities of the Act.

(f) Labeling Logo. Owners and operators of official establishments having a total plant quality control system approved under the provisions of paragraph (c) of this section, may only use, as a part of any labeling, the following logo. Any labeling bearing the logo and any wording of explanation with respect to this logo shall be approved as required by Parts 316 and 317 of this Subchapter.



(§ 318.4(g) continued)

(g) Termination of Total Plant Quality Control or Partial Quality Control.

(1) The approval of a total plant quality control system or a partial quality control program may be terminated at any time by the owner or operator of the official establishment upon written notice to the Administrator.

(2) The approval of a total plant quality control system or partial quality control program may be terminated upon the establishment's receipt of a written notice from the Administrator under the following conditions:

(i) If adulterated or misbranded meat food product is found by the Administrator to have been prepared for or distributed in commerce by the subject establishment. In such case, opportunity will be provided to the establishment owner or operator to present views to the Administrator within 30 days of the date of terminating the approval. In those instances where there is a conflict of facts, a hearing, under applicable Rules of Practice, will be provided to the establishment owner or operator to resolve the conflict. The Administrator's termination of approval shall remain in effect pending the final determination of the proceeding.

(ii) If the establishment fails to comply with the quality control system or program to which it has agreed after being notified by letter from the Administrator or his designee. Prior to such termination, opportunity will be provided to the establishment owner or operator to present views to the Administrator within 30 days of the date of the letter. In those instances where there is a conflict of facts, a hearing, under applicable Rules of Practice, will be provided to the establishment owner or operator to resolve the conflict. The Administrator's termination of quality control approval shall remain in effect pending the final determination of the proceeding.

(3) If approval of the total plant quality control system or partial quality control program has been terminated in accordance with the provisions of this section, an application and request for approval of the same or a modified total plant quality control system will not be evaluated by the Administrator for at least 6 months from the termination date, or for at least 2 months from the termination date in the case of a partial quality control program.

§ 318.5 Requirements concerning procedures

(a) (1) Care shall be taken to assure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(b) Product, such as pork tenderloins, brains, sweetbreads, stew, or chop suey, shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Administrator in specific cases.

(c) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

(d) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.

(§ 318.5 continued)

(e) Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys with detached kidney fat, shall be inspected before being used in or shipped from the official establishment.

(f) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses.

(g) Clotted blood shall be removed from hog hearts before they are shipped from the official establishment or used in the preparation of meat food products.

(h) Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of any meat food product shall be presented for inspection, turned with the fat surface exposed.

(i) Portions of casings which show infection with *Oesophagostomum* or other nodule-producing parasite, and weasands infected with the larvae of *Hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

§ 318.6 Requirements concerning ingredients and other articles used in preparation of products.

(a) All ingredients and other articles used in the preparation of any product shall be clean, sound, healthful, wholesome, and otherwise such as will not result in the product being adulterated. Official establishments shall furnish inspectors accurate information on all procedures involved in product preparation including product composition and any changes in such procedures essential for inspectional control of the product.

(b) (1) The only animal casings that may be used as containers of product are those from cattle, sheep, swine, or goats.

(2) Casings for products shall be carefully inspected by Program employees. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing and are suitable for containers, are clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(3) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or

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* Proteolytic enzymes.	Sodium acid pyrophosphate.	do	do		* *
* Aspergillus oryzae.	To soften tissues.	Raw meat cuts.	Solutions consisting of water and approved proteolytic enzymes applied or injected into raw meat cuts shall not result in a gain of more than 3 percent above the weight of the untreated product.		* *
* Aspergillus flavus oryzae group.	do	do	do		* *
* Bromelin.	do	do	do		* *
* Ficin.	do	do	do		* *
* Papain.	do	do	do		* *
* Acetic acid.	To separate fatty acids and glycerol.	Rendered fats.	Sufficient for purpose.		* *
* Bicarbonate of soda.	do	do	do		* *

Refining agents
(must be eliminated during process of manufacturing).

Class of substance	Substance	Purpose	Products	Amount
	Carbon (purified charcoal).	To aid in refining of animal fats.	do	do.
	Caustic soda (sodium hydroxide).	To refine fats.	do	do.
	Diatomaceous earth; Fuller's earth.	do	do	do.
	Sodium carbonate.	do	do	do.
	Tannic acid.	do	do	do.
Rendering agents.	Tricalcium phosphate.	To aid rendering.	Animal fats.	do.
	Trisodium phosphate.	do	do	do.
Artificial sweeteners.	Saccharin.	To sweeten product.	Bacon.	0.01 percent.
Synergists (used in combination with antioxidants).	Citric acid.	To increase effectiveness of antioxidants.	Lard and shortening.	0.01 percent alone or in combination with antioxidants in lard or shortening.
			Dry sausage.	0.003 percent in dry sausage in combination with antioxidants.
			Fresh pork sausage.	0.01 percent on basis of fat content, in combination with antioxidants.

§ 350.5 Application for service.

Any person who desires to receive service under the regulations in this part for meat or other product eligible therefor under such regulations may make application for service to the Administrator, upon an application form which will be furnished by the Administrator upon request.

§ 350.6 Denial or withdrawal of service.

(a) If any person has applied for service for meat or other product not eligible therefor under the regulations in this part, or has failed to make proper application for service or to pay fees and charges due for service furnished or to be furnished to him under the regulations in this part, or if the service cannot be furnished to any person applying therefor because of lack of available inspectors or other administrative reasons, the service may be denied to such person by the Administrator until the condition justifying such denial is corrected.

(b) Service under the regulations in this part may also be denied to any person by the Secretary for such period as he may deem proper, if it is determined, after opportunity for hearing before a proper official in the Department, that such person has been responsible for any willful misrepresentation to the Department concerning any meat or other product for which service has been requested under the regulations, in this part, or that such person has been responsible for the use without authority, or the imitation, of any marks or certificates of Federal meat inspection on or with respect to any meat or other product, or has otherwise been responsible for any fraudulent or deceptive practice with respect to such service, or that such person has interfered with or obstructed any inspector in the performance of his duties under the regulations in this part, or attempted to do so. When the Administrator determines that the public interest so requires, he may deny or withdraw service provided for in this Part, without a hearing, pending final determination of the matter. The applicant or recipient of service involved shall be notified of the Administrator's decision to deny or suspend service and the reasons therefor, in writing, in the manner prescribed in § 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Administrator's decision to deny or suspend the service shall be effective upon such oral or written notification, whichever is earlier, to the applicant or recipient of service. If such notification is oral, the Administrator shall confirm such decision and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the applicant or recipient of service, in the manner prescribed in § 1.147(b) of the rules of practice (7 CFR 1.147(b)).

§ 350.7 Fees and charges.

(a) Fees and charges for service under the regulations in this part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(§ 350.7 continued)

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rate of \$13.48 per hour for base time, \$16.76 per hour for overtime including Saturdays, Sundays, and holidays, and \$26.24 per hour for laboratory service, to cover the costs of the service and shall be charged for the time required to render such service. Where appropriate, this time will include but will not be limited to the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

§ 350.8 Scope and applicability of rules of practice.

The rules of practice of the Department of Agriculture in Subpart H of Part I, Subtitle A, Title 7 of the Code of Federal Regulations are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this part (9 CFR Part 350).

!23 F.R. 9982, Dec. 23, 1958, as amended at 32 F.R. 13115, Sept. 15, 1967;
35 F.R. 6856, Apr. 30, 1970

PART 351-CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

AUTHORITY: The provisions of this Part 351 issued under secs. 203, 205, 60 Stat. 1087, 1090; 7 U.S.C. 1622, 1624.

SOURCE: The provisions of this Part 351 appear at 40 FR 58627, December 18, 1975.

DEFINITIONS

§ 351.1 Meaning of words.

Words used in this Part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 351.2 Terms defined.

When used in this Part, unless the context otherwise requires:

(a) "Department" means the United States Department of Agriculture.

(b) "Program" means the Meat and Poultry Inspection Program of the Food Safety and Quality Service of the Department.

(c) "Administrator" means the Administrator of the Food Safety and Quality Service of the Department, or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) "Circuit supervisor" means an employee of the Program assigned to supervise and perform official work in a circuit. Such employee is assigned by and reports directly to the Administrator or person designated by him.

(e) "Inspector" means an employee of the Program or a cooperating State.

(§ 351.5(c) continued)

shipping technical animal fat from the plant or facility and storing and exporting such technical animal fat, and a written description of the shipping, receiving, and inventory records maintained for technical animal fat.

(d) The Administrator will determine, on the basis of all information available to him, whether the arrangements at the plant or storage facility are such as will assure that certifications of technical animal fat will be correct, and, if so, will grant the application for certification service. An applicant will be given an opportunity to present his views prior to refusal of the service.

§ 351.6 Official number.

The Administrator will assign a certified technical animal fat plant number to each plant granted service. Such number shall be preceded by the letter "C" and be used to identify all certified technical animal fat prepared or stored by the plant.

§ 351.7 Administration of certification service program.

(a) The regulations in this Part shall be administered by the circuit supervisor for the jurisdiction in which is located the certified plant or plants for which application for certification service is made, and such assistants as may be necessary will be assigned by the Administrator.

(b) The Administrator may enter into a cooperative agreement with any recognized State for the conduct by State employees of any surveys, examinations, and other activities involved in the administration of the regulations in this Part. However, certifications under these regulations may be issued only by Program employees, as provided in § 351.3.

FEES

§ 351.8 Charges for surveys of plants.

* Applicants for the certification service shall pay the Department for salary costs at \$13.48 per hour for base time, \$16.76 per hour for over- *
time, travel and per diem allowances at rates currently allowed by the Government travel regulations, and other expenses incidental to the initial survey of the rendering plants or storage facilities for which certification service is requested.

§ 351.9 Charges for examinations.

* (a) The fees to be charged and collected by the Administrator for *
examinations shall be \$13.48 per hour for base time and \$16.76 per hour for *
overtime including Saturdays, Sundays, and holidays, as provided for in *
* § 351.14, and \$26.24 per hour for any laboratory service required to deter- *
mine the eligibility of any technical animal fat for certification under the regulations in this part. Such fees shall be charged for the time required to render such service, including, but not limited to, the time required for the travel of the inspector or inspectors in connection therewith.

(b) Charges may also be made to cover the actual cost of travel and per diem allowance at rates currently allowed by the General Services Administration, and other expenses incurred by the Department in connection with such examinations and laboratory service.

FACILITIES AND OPERATIONS

§ 351.10 Facilities.

(a) Facilities for the preparation, identification, and storage of the technical animal fat to be certified shall be furnished and maintained by the certified plant in accordance with this section.

(b) The operator of the certified plant shall provide at the plant, rooms, compartments, and equipment needed to maintain the identity of certified technical animal fats and materials used in their preparation, and separation of such articles from other products. Such rooms, compartments, and equipment shall be conspicuously marked with the phrase "Certified Technical Animal Fat" whenever they contain these fats.

§ 351.11 Identification and separation of technical animal fats for certification and materials for use therein; removal of wrappers, etc.; cleaning of equipment.

(a) All technical animal fat to be offered for certification under this Part and materials to be used in the preparation of such fat, and all certified technical animal fat, shall be identified and kept separate from other products from the time of receipt at a certified plant and throughout processing or handling at such plant. All wrappers and packaging shall be removed from the source materials to the fullest extent practicable before the materials are rendered at the plant.

(b) If a plant's operations are within the provisions of § 351.14(b)(3), all equipment shall be cleaned before it is used for receiving, preparation, or storage of certified technical animal fats or material to be used in preparation of such fats. Such cleaning shall be done in such manner as to prevent contamination of such certified fats or source material with materials that are unacceptable under § 351.3.

§ 351.12 Circuit supervisor to be informed when plant operates.

The operator of each certified plant shall inform the circuit supervisor, in advance, when the plant's work schedule will include preparing technical animal fats for certification and identify the approximate days and hours when operations will begin and end.

§ 351.13 Inspectors to have access to certified plants at all times.

For the purpose of administering the regulations in this Part, inspectors shall have access at all times by day or night to every part of a certified plant.

§ 351.14 Processes to be supervised; extent of examinations.

(a) All processes used in the preparation of certified technical animal fats at any certified plant shall be subject to supervision by an inspector. Certified plants shall not prepare any technical animal fat for certification under the regulations in this Part, except in accordance with such regulations.

(§ 354.75 continued)

Each product for which inspection service is requested shall be so arranged so as to permit adequate determination of its class, quantity, and condition as the circumstances may warrant.

§ 354.76 Time of inspection in an official plant.

The inspector who is to perform the inspection in an official plant shall be informed, in advance, by the applicant of the hours when such inspection is desired. Inspectors shall have access at all times to every part of any official plant to which they are assigned.

REPORTS

§ 354.90 Report of inspection work.

Reports of the work of inspection carried on within official plants shall be forwarded to the Administrator by the inspector in such manner as may be specified by the Administrator.

§ 354.91 Information to be furnished to inspectors.

When inspection service is performed within an official plant, the applicant for such inspection shall furnish to the inspector rendering such service such information as may be required for the purposes of §§ 354.90 to 354.92.

§ 354.92 Reports of violation.

Each inspector shall report, in the manner prescribed by the Administrator, all violations of and noncompliance with the Act and the regulations in this Part of which he has knowledge.

FEEES AND CHARGES

§ 354.100 Payment of fees and charges.

(a) Fees and charges for any inspection shall be paid by the applicant for the service in accordance with the applicable provisions of §§ 354.100 to 354.110, both inclusive. If so required by the inspector, such fees and charges shall be paid in advance.

(b) Fees and charges for any inspection service shall, unless otherwise required pursuant to paragraph (c) of this section, be paid by check, draft, or money order payable to the Food Safety and Quality Service and remitted promptly to the Service.

(c) Fees and charges for any inspection pursuant to a cooperative agreement with any State or person shall be paid in accordance with the terms of such cooperative agreement.

§ 354.101 On a fee basis.

(a) Unless otherwise provided in this Part, the fees to be charged and collected for any service performed, in accordance with this Part, on a fee basis shall be based on the applicable rates specified in this section.

(§ 354.101 continued)

* (b) The charges for inspection service will be based on the time required to perform such services. The hourly rate shall be \$13.48 for base time and \$16.76 for overtime or holiday work.

* (c) Charges for any laboratory analysis or laboratory examination of rabbits under this part related to the inspection service shall be \$26.24 per hour.

§ 354.105 Fees for additional copies of inspection certificates.

Additional copies, other than those provided for in §§ 354.141, 354.142, and 354.143, of any inspection certificates may be supplied to any interested party upon payment of a fee of \$2.00 for each set of five or fewer copies.

§ 354.106 Travel expenses and other charges.

Charges are to be made to cover the cost of travel and other expenses incurred by the Service in connection with rendering inspection service. Such charges shall include the costs of transportation, per diem, and any other expenses.

§ 354.107 Continuous inspection performed on a resident basis.

(a) Except as provided in paragraph (b) of this section, the charges for inspection of rabbits and products thereof shall be those provided for in § 354.101(b) when the inspection service is performed on a continuous year-round resident basis and the services of an inspector or inspectors are required 4 or more hours per day. When the services of an inspector are required on an intermittent basis, the charges shall be at the hourly rate provided for in § 354.101(b) plus the travel expense and other charges provided for in § 354.106.

(b) The applicant will be given credit when inspectors assigned to the applicant's official plant perform inspection for the Department of Defense on products accepted for delivery by the applicant to the Department of Defense. The amount of such credit will be based on a formula concurred in jointly by the Departments of Defense and Agriculture.

§ 354.109 Fees or charges for inspection service performed under cooperative agreement.

Fees or charges to be made to an applicant for any inspection service which differ from those listed in §§ 354.100 through 354.107 shall be provided for by a cooperative agreement.

§ 354.110 Disposition of fees for inspection made under cooperative agreement.

Fees for inspection under a cooperative agreement with any State or person shall be disposed of in accordance with the terms of such agreement. Such portion of the fees collected under a cooperative agreement as may be due the United States shall be remitted to the Service.

INSPECTION PROCEDURES; ANTE-MORTEM INSPECTIONS

§ 354.120 Manner of handling products in an official plant.

(§ 355.11 continued)

reimburse the Department for salary, travel cost, per diem allowance, and the like, expended incidental to any survey of the premises for which the inspection is requested, and in connection with any review of plans which may be made.

§ 355.12 Charge for service.

* The fees to be charged and collected by the Administrator shall be \$13.48
* per hour for base time, \$16.76 per hour for overtime, including Saturdays, *
Sundays, and holidays, and \$26.24 per hour for laboratory service to reimburse *
the Service for the cost of the inspection service furnished.

SANITATION AND FACILITIES

§ 355.13 Sanitation.

Sanitary facilities and accommodations shall be furnished by every inspected plant. Of these the following are specifically required:

(a) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size, and conveniently located. They shall be properly lighted and ventilated and of sanitary construction. They shall be separate from the rooms and compartments in which certified products are prepared, stored or handled.

(b) Modern hand-washing basins, including running hot and cold water, soap and towels shall be placed in or near toilet rooms.

(c) Toilet soil lines shall be separate from house drainage lines to a point outside the buildings and drainage from toilet soil lines shall not be discharged into a grease catchbasin.

(d) Properly located facilities shall be provided for cleansing utensils and hands of all persons handling or preparing any products to be certified.

(e) Equipment and utensils used for preparing any products to be certified shall be of such material and construction as will make them susceptible of being readily and thoroughly cleaned.

(f) Trucks and receptacles used for inedible materials shall be of such construction as to permit ready and thorough cleansing, shall bear a conspicuous and distinctive mark, and shall be used exclusively for handling inedible material.

(g) Rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling any certified products, and all other parts of the inspected plant, shall be kept clean. There shall be no handling or storing of materials which creates an objectionable condition in rooms, compartments or places where certified products are prepared, stored or otherwise handled.

§ 355.14 Facilities.

Adequate facilities for the preparation and inspection of the products to be certified shall be furnished and maintained by the inspected plant. Of these the following are specifically required:

(§ 355.14 continued)

(a) A room or compartment adequately equipped for locking or sealing shall be provided for holding products prepared for certification or material used in their preparation which are identified as "U.S. retained," and such rooms and compartments shall be conspicuously marked with the phrase "U.S. retained" prominently displayed.

(b) Adequate facilities, including denaturing materials, for the proper disposal of condemned articles including carcasses, parts of carcasses and other materials, shall be provided.

(c) Rooms or compartments adequate in size and properly equipped for holding samples of canned products prepared for certification under incubation, shall be maintained at the temperature specified in § 355.25(i).

(d) Furnished office room, including light, heat, janitor, and laundry service shall be provided rent free for the exclusive use of the inspector. These facilities shall be set apart for this purpose and provided with lockers suitable for the protection and storage of program supplies. Laundering of inspectors' outer work clothing shall be provided by the management of inspected plants.

§ 355.15 Inedible material operating and storage rooms; outer premises, docks, driveways, etc.; fly-breeding material; nuisances.

All operating and storage rooms and departments of inspected plants used for inedible material shall be maintained in clean condition, and shall be separate and apart from rooms and departments where certified products are prepared, handled, or stored. Docks and areas where cars and vehicles are loaded, and driveways, approaches and alleyways shall be properly paved and drained and the outer premises of every inspected plant shall be kept in clean and orderly condition. All catchbasins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. The accumulation on the premises of any material in which flies may breed, or the maintenance of any nuisance on the premises shall not be allowed.

§ 355.16 Control of flies, rats, mice, etc.

Flies, rats, mice, and other vermin shall be excluded from inspected plants and premises.

§ 355.17 Tagging equipment "U.S. rejected."

When necessary, inspectors shall attach a "U.S. rejected" tag to any equipment or utensil which is unclean or the use of which would be in conflict with the provisions of this part. No equipment or utensil so tagged shall again be used until made acceptable under this part and until removal of the tag. Such tag shall not be removed from the equipment or utensil by anyone other than an inspector.

§ 355.18 Drawings and specifications to be furnished.

Triplicate copies of complete drawings and specifications for remodeling

(§ 362.4 (a)(2) continued)

reject an application or request for service or deny or withdraw service under this paragraph without hearing, pending final determination of the matter, when he determines that the public interest so requires. The operator or applicant of such plant shall be notified of the Administrator's decision to reject the application or request for service or to deny or withdraw such service, and the reasons therefor, in writing, in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Administrator's decision to reject an application or request for service or to deny or withdraw the benefits of service under the Act shall be effective upon such oral or written notification, whichever is earlier, to the operator or applicant of such plant. If such notification is oral, the Administrator shall confirm such decision, and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the operator or applicant of such plant in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)).

(b) For correctable cause.

(1) Basis for denial or withdrawal. An application or request for service may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, any person whose establishment does not meet the requirements as to premises, facilities, and equipment, and the operation thereof, prescribed in the regulations to prevent the distribution of adulterated poultry or poultry products, or who has not received approval of labeling and containers to be used at the establishment as required by the regulations.

(2) Procedure. An application or request for service may be rejected, or benefits of the service may be otherwise denied to or withdrawn by the Secretary, as provided by this paragraph, after notice and opportunity for hearing before a proper official of the Department. The Administrator may reject an application or request for service or deny or withdraw service under this paragraph without hearing, pending final determination of the matter, when he determines that the public interest so requires. The operator or applicant of such plant shall be notified of the Administrator's decision to reject the application or request for service or to deny or withdraw such service, and the reasons therefor, in writing, in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Administrator's decision to reject an application or request for service or to deny or withdraw the benefits of service under the Act shall be effective upon such oral or written notification, whichever is earlier, to the operator or applicant of such plant. If such notification is oral, the Administrator shall confirm such decision, and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the operator or applicant of such plant in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)).

(c) For miscellaneous reasons. An application or a request for service may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, any person, without a hearing, by the official in charge of the appropriate regional office, with the concurrence of the Regional Director (1) for administrative reasons such as the nonavailability of personnel to perform the service; (2) for the failure to pay for service; (3) in case the application or request related to birds or products which are not eligible for service under Part 362; or (4) in case the person is a partnership, corporation,

(§ 362.4(c)(4) continued)

or other person from whom the benefits of the service are currently being withheld under paragraph (a) of this section. Notice of such denial or withdrawal, and the reasons therefor, shall promptly be given to the person involved. The operator or applicant of such plant shall be notified of such decision to reject an application or request for service or to deny or withdraw the benefits of the service, and the reasons therefor, in writing, in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. Such decision shall be effective upon such oral or written notification, whichever is earlier, to the operator or applicant of such plant. If such notification is oral, the person making such decision shall confirm such decision, and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the operator or applicant of such plant in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)).

(d) Scope and applicability of rules of practice. The rules of practice of the Department of Agriculture in Subpart H of Part I, Subtitle A, Title 7 of the Code of Federal Regulations, are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this Part (9 CFR 362).

§ 362.5 Fees and charges.

(a) Fees and charges for service under the regulations in this Part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rate of \$13.48 per hour for base time, \$16.76 per hour for overtime including Saturdays, Sundays, and holidays, and \$26.24 per hour for laboratory service to cover the costs of the service and shall be charged for the time required to render such service, including, but not limited to, the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

(§ 381.37 continued)

than 5 hours after operations begin. In plants where a company rest break of not less than 30 minutes is regularly observed, approximately midpoint between start of work and the lunch period, and the inspector is allowed this time to meet his personal needs, the lunch period may be scheduled as long as 5 1/2 hours after the beginning of scheduled operations.

(c) Official establishments, importers, and exporters shall be provided inspection service, without charge, up to 8 consecutive hours per shift during the basic workweek subject to the provisions of § 381.38: Provided, That any additional shifts meet requirements as determined by the Administrator or his designee. The basic workweek shall consist of five consecutive 8-hour days Monday through Friday, excluding the lunch period; except those plants presently operating on an approved Tuesday through Saturday schedule shall continue on this schedule until such time as a change in ownership occurs, or they request and are granted a Monday through Friday work schedule; and further, except in the designation of State programs, the Department may depart from the Monday to Friday workweek in those cases where it would seriously handicap the Department in carrying out its function.

(d) (1) Each official establishment shall submit a work schedule to the area supervisor for approval. In consideration of whether the approval of an establishment work schedule shall be given, the area supervisor shall take in account the efficient and effective use of inspection personnel. The work schedule must specify the workweek, daily clock hours of operation, and lunch periods for all departments of the establishment requiring inspection.

(2) Establishments shall maintain consistent work schedules. Any request by an establishment for a change in its work schedule involving changes in the workweek or an addition or elimination of shifts shall be submitted to the area supervisor at least 2 weeks in advance of the proposed change. Frequent requests for change shall not be approved: Provided, however, minor deviations from a daily operating schedule may be approved by the inspector in charge if such request is received on the day preceding the day of change.

(3) Requests for inspection service outside an approved work schedule shall be made as early in the day as possible for overtime work to be performed within that same workday; or made prior to the end of the day's operation when such a request will result in overtime service at the start of the following day: Provided, That an inspector may be recalled to his assignment after the completion of his daily tour of duty under the provisions of § 381.39(b).

§ 381.38 Overtime and holiday inspection service.

(a) The management of an official establishment, an importer, or an *exporter shall pay the Food Safety and Quality Service \$16.76 per hour per Program employee to reimburse the Program for the cost of the inspection service furnished on any holiday specified in paragraph (b) of this section; or for more than 8 hours on any day, or more than 40 hours in any administrative workweek Sunday through Saturday.

(b) Holidays for Federal employees shall be New Year's Day, January 1; Washington's Birthday, the third Monday in February; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans' Day, November 11, Thanksgiving Day, the fourth Thursday in November; Christmas Day, December 25. When any of the above-listed holidays falls outside the basic workweek, the nearest workday within that week shall be the holiday.

§ 381.39 Basis of billing for overtime and holiday services.

(a) Each recipient of overtime or holiday inspection service, or both, shall be billed at the rate established in § 381.38(a), in increments of quarter hours. For billing purposes, 8 or more minutes shall be considered a full quarter hour. Billing will be for each quarter hour service rendered by each Inspection Service employee.

(b) Official establishments, importers, or exporters requesting and receiving the services of an Inspection Service employee after he has completed his day's assignment and left the premises, or called back to duty during any overtime or holiday period, shall be billed for a minimum of 2 hours overtime or holiday inspection service at the established rate.

(c) Bills are payable upon receipt and become delinquent 30 days from the date of the bill. Overtime or holiday inspection will not be performed for anyone having a delinquent account.

§ 381.40 [Reserved]

§ 381.41 [Reserved]

§ 381.42 [Reserved]

	<u>Raw</u>	<u>Cooked</u>
	<u>Percent</u>	
Chicken.....	20	25
Turkey.....	15	20

Boneless poultry product shall not have a bone solids content of more than 1 percent, calculated on a weight basis.

§ 381.118 Ingredients statement.

(a) The label shall show a statement of the ingredients in the poultry product if the product is fabricated from two or more ingredients. Such ingredients shall be listed by their common or usual names in the order of their descending proportions.

(b) For the purpose of this paragraph, the term "chicken meat," unless modified by an appropriate adjective, is construed to mean deboned white and dark meat; whereas the term "chicken" may include other edible parts such as skin and fat not in excess of their natural proportions, in addition to the chicken meat. If the term "chicken meat" is listed and the product also contains skin, giblets, or fat, it is necessary to list each such ingredient. Similar principles shall be followed in listing ingredients of poultry products processed from other kinds of poultry.

(c) Spices, flavorings, and colorings may be listed as spices, flavorings, and colorings without naming each. However, no ingredient shall be designated on the label as a spice, flavoring, or coloring, unless it is a spice, flavoring or coloring, as the case may be; however, the term "flavorings" may be used to designate natural spices, essential oils, oleoresins, and other natural spice extractives. The term "spices" may be used to designate natural spices only. An ingredient which is both a spice and a coloring, or both a flavoring and a coloring, shall be designated as "spice and coloring" or "flavoring and coloring," as the case may be, unless such ingredient is designated by its specific name.

(d) On containers of frozen dinners, entrees, and pizzas, and similarly packaged products in cartons, the ingredient statement may be placed on the front riser panel: Provided, That the words "see ingredients," followed immediately by an arrow pointing to the front riser panel, are placed on the principal display panel immediately above the location of such statement, without intervening printing or designs.

§ 381.119 Declaration of artificial flavoring or coloring.

(a) When an artificial smoke flavoring or a smoke flavoring is added as an ingredient in the formula of any poultry product, there shall appear on the label, in prominent letters and contiguous to the name of the product, a statement such as "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added," as applicable, and the ingredient statement shall identify any artificial smoke flavoring or smoke flavoring added as an ingredient in the formula of the poultry product.

(§ 381.119 continued)

(b) Any poultry product which bears or contains any artificial flavoring other than an artificial smoke flavoring or a smoke flavoring, or bears or contains any artificial coloring shall bear a statement stating that fact on the immediate container or, if there is none, on the product.

§ 381.120 Antioxidants; chemical preservatives; and other additives.

When an antioxidant is added to a poultry product, there shall appear on the label in prominent letters and contiguous to the name of the product, a statement showing the name of the antioxidant and the purpose for which it is added, such as "BHA added to help protect the flavor." Immediate containers of poultry products packed in, bearing, or containing any chemical preservative shall bear a label stating that fact and naming the additive and the purpose of its use. Immediate containers of poultry products packed in, bearing or containing any other chemical additive shall bear a label naming the additive and the purpose of its use when required by the Administrator in specific cases.

* When approved proteolytic enzymes as permitted in § 381.147 of this subchapter
* are used in mature poultry muscle tissue there shall appear on the label, in a
* prominent manner, contiguous to the product name, the statement, "Tenderized
* with [approved enzyme]," to indicate the use of such enzymes. Any other
* approved substance which may be used in the solution shall also be included in
* the statement.

§ 381.121 Quantity of contents.

(a) The label shall bear an accurate statement of the net quantity of contents in terms of weight, measure or numerical count, as appropriate. However, the Administrator may approve the use of labels for certain types of consumer packages which do not bear a statement of the net weight that would otherwise be required under this subparagraph: Provided, That the shipping container bears a statement "Net weight to be marked on consumer packages prior to display and sale": And provided further, That the total net weight of the contents of the shipping container is marked on such container: And provided further, That the shipping container bears a statement "Tare weight of consumer package" and in close proximity thereto, the actual tare weight (weight of packaging material), weighed to the nearest one-eighth ounce or less, of the individual consumer package in the shipping container. The above-specified statements may be added to approved shipping container labels upon approval by the inspector in charge.

(b) The net weight marked on containers of poultry products shall be the net weight of the poultry products and shall not include the weights of the wet or dry packaging materials and giblet wrapping materials. When a poultry product and a nonpoultry product are separately wrapped and are placed in a single immediate container bearing the name of both products, the net weight shown on such immediate container may be the total net weight of the two products, or such immediate container may show the net weights of the poultry product and the nonpoultry product separately. Notwithstanding the other provisions of this paragraph, the label on consumer size retail packages of stuffed poultry and other stuffed poultry products must show the total net weight of the poultry product, and in close proximity thereto, a statement specifying the minimum weight of the poultry in the product.

(c) (1) The statement of net quantity of contents shall appear (except as otherwise permitted under this paragraph (c)), on the principal display panel of all containers to be sold at retail intact, in conspicuous and easily legible boldface print or type, in distinct contrast to other matter on the

(§ 381.138(b) continued)

involved. Approved labeling and containers may be moved without restriction under this part between official establishments operated by the same person if such labeling and containers are approved for use at all such establishments. No such material shall be used at the establishment to which it is shipped unless such use conforms with the requirements of this subpart.

§ 381.139 Removal of official identifications.

(a) Every person who receives any poultry product in containers which bear any official inspection legend shall remove or deface such legend or destroy the containers upon removal of such articles from the containers.

(b) No person shall alter, detach, deface, or destroy any official identifications prescribed in Subpart M that were applied pursuant to the regulations, unless he is authorized to do so by an inspector or this section; and no person shall fail to use any such official identification when required by this part.

§ 381.140 Relabeling poultry products.

When it is claimed by the operator of an official establishment that some of its labeled poultry product, which has been transported to a location other than an official establishment, is in need of relabeling because the labeling has become mutilated or damaged, or for some other reason needs relabeling, the requests for relabeling the poultry product shall be sent to the Administrator and accompanied with a statement of the reasons therefor and the quantity of labeling required. Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Administrator. The relabeling of inspected and passed product with official labels shall be done under the supervision of an inspector pursuant to the regulations in Part 362 of this chapter. The establishment shall reimburse the Inspection Service for any cost involved in supervising the relabeling of such product as provided in said regulations.

§ 381.141 Reporting of obsolete labels.

Once a year, or oftener if required by the Administrator, each official establishment shall submit to the Administrator, in quadruplicate, a list of approved labeling and other devices no longer used or a list of the documents issued by the Administrator approving the labeling or devices involved. The approved articles shall be identified by the approval number, the date of approval, and the name of the poultry product or other designation showing the class of labeling material.

§ 381.143 Jar closures requirements.

Vacuum packed containers sealed with quick-twist, screw-on, or snap-on lids (or closures) shall not have an annular space between the inner edge of the lid's rim (lip or skirt) and the container itself or shall have such space sealed in a manner that will make it inaccessible to filth and insects.

Subpart O-Entry of Articles Into Official Establishments;
Processing Inspection and Other Reinspections;
Processing Requirements

§ 381.145 Poultry products and other articles entering or at official establishments; examination and other requirements.

(a) No poultry product (including poultry broth for use in any poultry product in any official establishment) may be brought into any official establishment unless it has been processed in the United States only in an official establishment or imported from a foreign country listed in § 381.196(b), and inspected and passed, in accordance with the regulations; and unless the container of such product is marked so as to identify the product as so inspected and passed, in accordance with § 381.115 or § 381.205, except that poultry products inspected and passed and identified as such under the laws of an "at least equal" State or territory listed in § 381.187 may be brought into any official establishment solely for storage and distribution therefrom without repackaging, relabeling, or processing in such establishment. No carcass, part thereof, meat or meat food product of cattle, sheep, swine, goats, or equines may be brought into an official establishment unless it has been prepared in the United States only in an official meat packing establishment, or imported, and inspected and passed, in accordance with the Federal Meat Inspection Act, and the regulations under such Act (Subchapter A of this chapter) and is properly marked as so inspected and passed; or has been inspected and passed and is identified as such in accordance with the requirements of the law and regulations of a State not designated in § 331.2 of this chapter; or is present in the official establishment by reason of an exemption allowed in the Federal Meat Inspection Act and the regulations under such Act (Subchapter A of this chapter) or the law and regulations of a State not so designated. However, such exempted articles may enter only under conditions approved by the Administrator in specific cases, including but not limited to, complete separation of inspected poultry products and processing and other operations with respect thereto from the exempted articles and operations with respect thereto, complete cleanup of facilities and equipment between processing of inspected poultry products and the exempted articles and no commingling of inspected and exempted articles in receiving, holding or storage areas.

(b) All poultry products and all carcasses, parts thereof, meat and meat food products of cattle, sheep, swine, goats, or equines which enter any official establishment shall be identified by the operator of the official establishment at the time of receipt at the official establishment. All poultry products, and all carcasses, parts thereof, meat and meat food products of such animals, which are processed or otherwise handled at any official establishment shall be subject to examination by an inspector at the official establishment in such manner and at such times as may be deemed necessary by the inspector in charge to assure compliance with the regulations. Upon such examination, if any such article or portion thereof is found to be adulterated, such article or portion shall, in the case of poultry products, be condemned and disposed of as prescribed in § 381.95, unless by reprocessing they may be made not adulterated, and shall, in the case of such other articles be disposed * of according to applicable law. Such examination may be accomplished through use * of statistically sound sampling plans that assure a high level of confidence.

* (§ 381.145(b) continued)

* The inspector in charge shall designate the type of plan and the program
* employee shall select the specific¹ plan to be used in accordance with instruc-
* tions issued by the Administrator.

* (c) Applying for Total Plant Quality Control. Any owner or operator of
* an official establishment preparing poultry product who has a total plant
* quality control system or plan for controlling such products, after ante-mortem
* and post-mortem inspection, through all stages of preparation, may request the
* Administrator to evaluate it to determine whether or not that system is ade-
* quate to result in product being in compliance with the requirements of the
* Act and therefore qualify as a U.S. Department of Agriculture (USDA) Total
* Plant Quality Control Establishment. Such a request shall, as a minimum,
* include:

* (1) A letter to the Administrator from the establishment owner or opera-
* tor stating the company's basis and purpose for seeking an approved quality
* control system and willingness to adhere to the requirements of the system as
* approved by the Department; that all the establishment's data, analyses, and
* information generated by its quality control system will be maintained to
* enable the Department to monitor compliance and available to Department personnel;
* that plant quality control personnel will have authority to halt production or
* shipping of product in cases where the submitted quality control systems
* require it; and that the owner or operator (or his/her designee) will be
* available for consultation at any time Department personnel consider it necessary.

* (2) In the case of an establishment having one or more full-time persons
* whose primary duties are related to the quality control system, an organizational
* chart showing that such people ultimately report to an establishment official
* whose quality control responsibilities are independent of or not predominantly
* production responsibilities. In the case of a small establishment which does
* not have full-time quality control personnel, information indicating the
* nature of the duties and responsibilities of the person who will also be
* responsible for the quality control system.

* (3) A list identifying those Subparts and sections of the poultry prod-
* ucts inspection regulations which are applicable to the operations of the
* establishment applying for approval of a quality control system. This list
* shall also identify which part of the system will serve to maintain compliance
* with the applicable regulations.

* (4) Detailed information concerning the manner in which the system will
* function. Such information should include, but not necessarily be limited to,
* questions of raw material control, the critical check or control points, the
* nature and frequency of tests to be made, the nature of charts and other
* records that will be used, the length of time such charts and records will be
* maintained in the custody of the official establishment, the nature of deficien-
* cies the quality control system is designed to identify and control, the

* ¹ Further information concerning sampling plans which have been adopted
* for specific products may be obtained from the circuit supervisor. These
* sampling plans are developed for individual products by the Washington staff
* and will be distributed for field use as they are developed. The type of plan
* applicable depends on factors such as whether the product is in containers,
* stage of preparation, and procedures followed by the establishment operator.
* The specific plan applicable depends on the kind of product involved.

* (§ 381.145 continued)

* parameters or limits which will be used and the points at which corrective
* action will occur, and the nature of such corrective action--ranging from the
* least to most severe: Provided, That subsequent to approval of the total plant
* quality control system by the Administrator, the official establishment may
* produce a new product for test marketing provided labeling for the product has
* been approved by the Administrator, the inspector in charge has determined that
* the procedures for preparing the product will assure that all Federal require-
* ments are met, and the production for test marketing does not exceed 6 months.
* Such new product shall not be produced at that establishment after the 6-month
* period unless approval of the quality control system for that product has been
* received from the Administrator.

* (d) Applying for Partial Quality Control. Any owner or operator of an
* official establishment preparing poultry products who has a quality control
* program for a product, operation, or a part of an operation, may submit it to
* the Administrator and request a determination as to whether or not that program
* is adequate to result in product being in compliance with the requirements of
* the Act. Such a request shall, as a minimum, include:

* (1) A letter from the establishment official responsible for quality
* control stating the objective of the program, and that all data and information
* generated by the program will be maintained to enable the Department to monitor
* compliance and available to Department personnel.

* (2) Detailed information concerning raw material control, the critical
* check or control points, the nature and frequency of tests to be made, the
* charts and records that will be used, the length of time such charts and
* records will be maintained in the custody of the official establishment, the
* limits which will be used and the points at which corrective action will
* occur, and the nature of the corrective action--ranging from the least to the
* most severe.

* (e) Evaluation and Approval of Total Plant Quality Control or Partial
* Quality Control.

* (1) The Administrator shall evaluate the material presented in accordance
* with the provisions of paragraph (c) or (d) of this section. If it is determined
* by the Administrator, on the basis of the evaluation, that the total quality
* control system or partial quality control program will result in finished
* products controlled in this manner being in full compliance with the requirements
* of the Act and regulations thereunder, the total quality control system or
* partial quality control program will be approved and plans will be made for
* implementation under departmental supervision.

* (2) In any situation where the system or program is found by the Adminis-
* trator to be unacceptable, formal notification shall be given to the applicant
* of the basis for the denial. The applicant will be afforded an opportunity to
* modify the system or program in accordance with this notification. The applicant
* shall also be afforded an opportunity to submit a written statement in response
* to this notification of denial and a right to request a hearing with respect
* to the merits or validity of the denial. If the applicant requests a hearing
* and the Administrator, after review of the answer, determines the initial
* determination to be correct, he shall file with the Hearing Clerk of the
* Department the notification, answer and the request for hearing, which shall
* constitute the complaint and answer in the proceeding, which shall thereafter
* be conducted in accordance with Rules of Practice which shall be adopted for
* this proceeding.

* (3) The establishment owner or operator shall be responsible for the
* effective operation of the approved total plant quality control system or

* (§ 381.145(f) continued)

* partial quality control program to assure compliance with the requirements of
* the Act and regulations thereunder. The Secretary shall continue to provide
* the Federal inspection necessary to carry out the responsibilities of the Act.

* (f) Labeling Logo. Owners and operators of official establishments
* having a total plant quality control system approved under the provisions of
* paragraph (c) of this section, may only use, as a part of any labeling, the
* following logo. Any labeling bearing the logo and any wording of explanation
* with respect to this logo shall be approved as required by Subparts M and N of
* this Part.



* (g) Termination of Total Plant Quality Control or Partial Quality Control.

* (1) The approval of a total plant quality control system or a partial
* quality control program may be terminated at any time by the owner or operator
* of the official establishment upon written notice to the Administrator.

* (2) The approval of a total plant quality control system or partial
* quality control program may be terminated upon the establishment's receipt of
* a written notice from the Administrator under the following conditions:

* (i) If adulterated or misbranded poultry product is found by the Adminis-
* trator to have been prepared for or distributed in commerce by the subject
* establishment. In such case, opportunity will be provided to the establishment
* owner or operator to present views to the Administrator within 30 days of the
* date of terminating the approval. In those instances where there is a conflict
* of facts, a hearing, under applicable Rules of Practice, will be afforded to
* the establishment owner or operator, if requested, to resolve the conflict.
* The Administrator's termination of approval shall remain in effect pending a
* final determination of the proceeding.

* (ii) If the establishment fails to comply with the quality control
* system or program to which it has agreed after being notified by letter from
* the Administrator or his designee. Prior to such termination, opportunity
* will be provided to the establishment owner or operator to present views to
* the Administrator within 30 days of the date of the letter. In those instances
* where there is a conflict of facts, a hearing, under applicable Rules of
* Practice, will be afforded to the establishment owner or operator, if requested,
* to resolve the conflict. The Administrator's termination of approval shall
* remain in effect pending a final determination of the proceeding.

* (§ 381.145(g) continued) *
* (3) If approval of the total plant quality control system or partial *
* quality control program has been terminated in accordance with the *
* provisions of this section, an application and request for approval of the *
* same or a modified total plant quality control system will not be evaluated by *
* the Administrator for at least 6 months from the termination date, or for at *
* least 2 months from the termination date in the case of a partial plant quality *
* control program. *

§ 381.146 Sampling at official establishments.

Inspectors may take, without cost to the Department, such samples as are necessary of any poultry product, or other article for use as an ingredient of any poultry product, at any official establishment to determine whether it complies with the requirements of the regulations.

§ 381.147 Restrictions on the use of substances in poultry products.

(a) All ingredients and other substances used in the processing or handling of poultry products at official establishments shall be such as will not result in adulteration or misbranding of the poultry products.

(b) Poultry products and poultry broth used in the processing of poultry products shall have been processed in the United States only in an official establishment, or imported from a foreign country listed in § 381.196(b), and inspected and passed, in accordance with the regulations. Detached ova and offal shall not be used in the processing of any poultry products, except that poultry feet may be processed for use as human food when handled in a manner approved by the Administrator in specific cases, and detached ova may be used in the processing of poultry products if the processor demonstrates that such ova comply with the requirements under the Federal Food, Drug, and Cosmetic Act.

(c) Liquid, frozen, and dried egg products used in the processing of any poultry product shall have been prepared under inspection and be so marked in accordance with the Egg Products Inspection Act.

(d) Carcasses, parts thereof, meat and meat food products of cattle, sheep, swine, goats, or equines may be used in the processing of poultry products only if they were prepared in the United States only in an official meat packing establishment, or imported, and were inspected and passed, in accordance with the Federal Meat Inspection Act, and the regulations under such Act (Subchapter A of this chapter) and are so marked. Poultry products containing pork must be treated to destroy possible live trichinae by one of the methods prescribed in section 318.10(c) of the meat inspection regulations (9 CFR 318.10(c)), or in lieu of such treatment the pork ingredient may be so treated.

(e) All isolated soy protein used in poultry products processed in any official establishment shall contain not more and not less than 0.1 percent titanium, incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein at all times that the article is in the official establishment.

(f) (1) No substance may be used as an ingredient or otherwise in the processing of any raw or cooked poultry product unless its use is approved as shown in Table 1 in subparagraph (3) of this paragraph or elsewhere in this part, or by the Administrator in specific cases.

§ 381.147(f) continued)

(2) Additives, to be used in the processing of poultry products, will be approved only if they comply with the following criteria:

(i) No food additive or other substance subject to section 408, 409, or 706 of the Federal Food, Drug, and Cosmetic Act may be used if it is deemed "unsafe" under that Act. No other additive may be used if, in the judgment of the Administrator, it is an added poisonous or deleterious substance which may render the poultry products injurious to health or otherwise unfit for human food.

(ii) The additive shall not promote deception or cause the product to be otherwise adulterated or misbranded. Scientific data acceptable to the Administrator showing that the additive meets the criteria specified in this section shall be submitted by the person interested in having the additive approved.

(3) The substances specified in the following table are acceptable for use in the processing of poultry products provided they are used within the limits of the amounts stated and under other conditions as stated in the regulations.

THE REVERSE OF THIS PAGE IS INTENDED TO BE BLANK.

Class of Substance	Substance	Purpose	Products	Amount
	Monosodium glutamate.	do	do	do.
	Sodium sulfoacetate derivative of mono- and diglycerides.	do	do	0.5 percent.
	Sugars approved (sucrose and dextrose).	do	do	Sufficient for purpose.
Gases.	Carbon dioxide solid (dry ice).	To cool product or facilitate chopping or packaging.	Various.	do.
	Carbon dioxide liquid.	Contact freezing.	do	do.
	Nitrogen.	To exclude oxygen from sealed containers.		do
	Nitrogen liquid.	Contact freezing.		do
Miscellaneous.	Sodium bicarbonate.	To neutralize excess acidity; cleaning vegetable tables.	Rendered fat, soups, curing pickle.	do.
	Calcium propionate.	To retard mold growth.	Fresh pie dough.	0.3 percent of calcium propionate or sodium propionate alone, or in combination, based on weight of the flour used.

Class of Substance	Substance	Purpose	Products	Amount
Phosphates.	Sodium propionate.	do	do	do.
	Disodium phosphate.	To decrease the amount of cooked out juices and protect flavor.	Various.	0.5 percent in product.
	Monosodium phosphate.	do	do	do.
	Sodium hexameta-phosphate.	do	do	do.
	Sodium tripoly-phosphate.	do	do	do.
	Sodium pyrophosphate.	do	do	do.
* Proteolytic enzymes.	Sodium acid pyrophosphate.	do	do	do.
	Aspergillus oryzae.	To soften tissue.	Raw poultry muscle tissue of hen, cock, mature turkey, mature duck, mature goose, and mature guinea.	Solutions consisting of water and approved proteolytic enzyme applied or injected into raw poultry tissue shall not result in a gain of more than 3 percent above the weight of the untreated product.
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				*

Class of Substance	Substance	Purpose	Products -	Amount	
* *	Aspergillus flavus oryzae group.	do	do	do	* *
*	Bromelin.	do	do	do	*
*	Ficin.	do	do	do	*
*	Papain.	do	do	do	*
Synergists (used in combination with antioxidants).		To increase effectiveness of antioxidants.	Poultry fats.	0.01 percent alone or in com- bination with antioxidants in poultry fats.	
	Malic acid.	do	do	do.	
	Monoisopropyl citrate.	do	do	0.01 percent poultry fats.	
	Phosphoric acid.	do	do	0.01 percent.	
	Monoglyceride citrate.	do	do	0.02 percent.	

¹ Special labeling requirements are prescribed in § 381.120 for raw poultry products chilled in a medium with more than 70 lbs. of salt to 10,000 gals. of water.
These are proprietary products, and a list thereof can be obtained from the Laboratory Services Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington DC 20250.

§ 381.148 Processing and handling requirements for frozen poultry products.

Procedures with respect to processing of frozen ready-to-heat-and-eat poultry products or stuffed ready-to-roast poultry shall be in accordance with sound operating practices and carried out in a manner which will assure freedom from adulteration of the products. Products to be frozen shall be moved into the freezer promptly under such supervision by an inspector as is necessary to assure preservation of the products by prompt and efficient freezing. Adequate freezing facilities shall be provided within the official establishment where products to be frozen are prepared, except that, upon written request, and under such conditions as may be prescribed by the Administrator in specific cases, such products may be moved from the official establishment prior to freezing: Provided, That the official establishment and freezer are so located and the necessary arrangements are made so that the Inspection Service will have access to the freezing room and adequate opportunity to determine that the products are being properly handled and frozen.

§ 381.149 Processing and handling requirements for canned poultry products.

Canned poultry products which are heat treated after closing or sealing shall be processed and handled in accordance with the following requirements:

(a) Immediate containers (whether of metal, glass, or other material) shall be cleaned thoroughly by washing in an inverted position with a water spray or by other means acceptable to the Administrator. The nozzle on the spray attachment shall be of such design and the water delivered with such pressure as will effectively rinse all of the inner surface of each container, immediately prior to filling with poultry products; and precautions shall be taken to avoid any subsequent soilage of the inner surfaces of such containers.

(b) Only perfect closure is acceptable for hermetically sealed containers; and heat processing of the products in such containers shall follow immediately after closing.

(1) Except as provided in paragraph (e) of this section, such products shall be so processed at such temperature and for such period of time as will insure preservation of the products under usual conditions of storage and transportation.

(2) Immediately after closing, and again after the containers have cooled sufficiently for handling after heat processing, careful examination shall be made by competent plant employees to ascertain whether the containers are perfectly sealed. The poultry products in such containers as are defectively closed or sealed shall promptly be filled into other containers, hermetically sealed, and heat processed unless the containers are promptly placed in a cooler at a temperature not exceeding 36° F. under conditions that will promptly and effectively chill them. Such chilled containers of products shall be opened and the contents removed and reprocessed immediately after removal from the cooler: Provided: That if such containers remained in the cooler for a period of 24 hours or longer, the contents shall be inspected by an inspector prior to the reprocessing thereof. Failure to comply with the provisions of this paragraph shall subject the poultry products to condemnation.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
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